THE HONOURABLE SRI JUSTICE N.V.RAMANA

Writ Petition No.11553 of 2006

Dated:10th July, 2006

Between:

Mulakala Komaraiah, (EC No.0977312). **…..PETITIONER**

AND

The Singareni Collieries Company Ltd.,
Rep by its General Manager, Manuguru,
Khammam District & 2 others. **….RESPONDENTS**

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THE HON'BLE SRI JUSTICE N.V. RAMANA

W.P. No. 11553 of 2006

Oral order:

Aggrieved by the action of the respondents in not permitting the petitioner to attend duty on the ground that he is suffering from HIV and TB, the petitioner filed the present writ petition.

The petitioners states he is completely cured of TB and, presently he is taking treatment for HIV, and even though HIV is not a communicable disease, the respondents are refusing to permit him to join duty. It is his case that even though he made representation dated 10.05.2006, requesting the respondents to permit him to join duty, no action had been taken thereon till date.

No counter is filed. However, the learned Standing Counsel appearing on behalf of the respondents submits that since TB is a communicable disease, the respondents are not permitting him to attend duty.

Inasmuch as the petitioner states that he is fully cured of TB and he is taking treatment for HIV, to ascertain whether or not the petitioner has fully recuperated of TB, which is said to be a communicable disease, I deem it appropriate to dispose of the writ petition with the following directions:

The respondents are directed to send the petitioner to Medical Board, who shall examine the health condition of the petitioner and submit their report, and based on the report of the Medical Board, the

respondents shall consider and dispose of the representation dated 10.05.2006, made by the petitioner seeking to permit him to join duty, expeditiously.

Accordingly, the writ petition is disposed of. No costs.

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N.V. RAMANA, J.

Date: 10th July, 2006.

Note:

Issue CC today.
(B/o)
GRK/KSR